

Message Text

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TO AMEMBASSY BONN

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CINCUSAFE

C O N F I D E N T I A L STATE 128671

E.O. 11652:

TAGS: MILI, PFOR, GW

SUBJECT: MOU ON USE OF GERMAN AIRFIELDS BY US FORCES

REF: A. BONN 07061

B. STATE 057985

C. BONN 02057

1. FOLLOWING IS STATE/DEFENSE EVALUATION OF FRG
REDRAFT AND REVISIONS THERETO REPORTED PARAS 3 AND
4 REF A.

2. RE FRG REDRAFT ARTICLE 1, AS REVISED PARA 4 REF A:
INCLUSION OF TERM "IN TIMES OF CRISIS" IS AMBIGUOUS
MODIFICATION OF FRG DRAFT ARTICLE 1, PARAS 5 AND 6 REF
C. IN STATE/DEFENSE VIEW, UNDERLYING PURPOSE OF MOU IS
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TO PROVIDE FOR USE OF FRG AIRFIELDS BY US FORCES IN

CIRCUMSTANCES INCLUDING OTHER THAN AS RESPONSE TO ENEMY THREAT. WE UNDERSTAND TERM WAS INCLUDED TO LINK MOU TO PARA 6 ARTICLE 57 OF SUPPLEMENTAL NATO SOFA, AND THAT "CRISIS" IS NOT INTENDED TO REFER TO EMERGENCY IN SENSE OF RESPONSE TO ENEMY THREAT, BUT RATHER TO USE UNDER ANY SPECIAL CIRCUMSTANCE, E.G., EVEN AIRCRAFT TECHNICAL DIFFICULTY WHILE AIRBORNE, AGREED UPON IN ADVANCE BY USG AND FRG. IF THIS UNDERSTANDING IS CORRECT, REQUEST TERM BE DELETED OR PHRASED TO REFLECT EXACT PURPOSE INTENDED, BECAUSE (1) PARA 6 ARTICLE 57

DOES NOT NECESSITATE SUCH REFERENCE, AND (2) ITS INCLUSION IN PRESENT FORM RAISES POSSIBILITY THAT RESTRICTIVE INTERPRETATION ALONG LINES OF THREAT RESPONSE COULD BECOME CRITERION FOR FRG AGREEMENT TO SPECIFIC USE BY US FORCES.

3. RE FRG REDRAFT ARTICLE 2, AS REVISED PARA 4 REF A: WE UNDERSTAND USE OF WORD "AND" PRECEDING THIRD CONDITION WAS UNINTENDED, AND THAT WORD "OR" IS CORRECT. REQUEST CONFIRMATION.

4. FRG REDRAFT ARTICLES, AS REVISED PARA 4 REF A, OTHERWISE APPEAR ACCEPTABLE. REQUEST FOREGOING POINTS BE RAISED WITH FRG NEGOTIATORS. SISCO

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